

REMARKS

1. In the above-captioned Office Action, the Examiner objected to the title. Claims 1, 5-9, and 12-16 were rejected under 35 U.S.C. §102(e) in view of Gottemoller et al. (2004/0200457). Claims 2-4, 10, and 17 were rejected under 35 U.S.C. §103(a) in view of Gottemoller. Claim 11 was rejected under 35 U.S.C. §103(a) given Gottemoller in view of Amano et al. (2004/0060343). These rejections are traversed and reconsideration is hereby respectfully requested.

2. The Examiner objected to the title. The title is amended above.

3. Claims 1, 5-9, and 12-16 were rejected under 35 U.S.C. §102(e) in view of Gottemoller. Prior to discussing the merits of the Examiner's position, the applicant believes it would be helpful to first briefly describe and characterize the Gottemoller reference.

THE GOTTEMOLLER REFERENCE

As stated in Gottemoller:

A double walled fuel line connects diesel fuel injectors in a common rail system. An inner line carries high pressure fuel from a fuel pump to the fuel injectors. Low pressure return fuel flows back through an outer fuel line which acts as a return line. The double walled line reduces the number of separate pipe connections needed in the system and provides protection against loss of high pressure fuel from the system as well as a simplified method for detecting fuel leaks. Monitoring fuel pressure in the low pressure line allows a fuel pressure sensor to detect leaks in the system by comparing fuel pressure in the low pressure line against typical line pressure. Higher than normal pressure in the low pressure line indicates a leak in the high pressure line. Lower than normal pressure indicates a leak in the low pressure return line. [Abstract]

Gottemoller therefore describes a double walled fuel line, one line having high pressure fuel and the other having low pressure fuel. Gottemoller monitors fuel pressure in the low pressure line to detect leaks in the system by comparing fuel pressure in the low pressure line against typical line pressure. Gottemoller does *not* describe or suggest obtaining a fluid pressure near a filter, as set forth in independent claims 1, 7, and 14. Further, Gottemoller does not teach or suggest *indicating that a potential fluid filter problem is present*, as set forth in independent claim 1 as amended above, *determining whether to indicate a warning for the filter*,

as set forth in independent claim 7 as amended above, nor to *indicate a warning condition for the filter*, as set forth in independent claim 14 as amended above.

Hence, the applicant respectfully submits that independent claims 1, 7, and 14, as amended, and all of their respective dependent claims, may be passed to allowance.

3. Claims 2-4, 10, and 17 were rejected under 35 U.S.C. §103(a) in view of Gottemoller. Gottemoller discloses that "the indicated pressure of the low pressure return fuel is compared to a map of normal fuel pressures as a function of engine parameters." [page 2, paragraph 20, lines 6-8], and thus relates the pressure of low pressure return fuel to engine parameters. The comparison as set forth in the claims relates to pressure near the fluid filter, which fluid filter is in the supply path to the fuel system not in the low pressure return fuel path from the fuel system. Gottemoller does not teach determining a predetermined value based on at least one of *engine speed, engine load, and fluid temperature* as stated in dependent claims 7 and 10, and dependent claim 2 as amended above.

Claim 11 was rejected under 35 U.S.C. §103(a) given Gottemoller in view of Amano. Amano teaches measuring the amount of time required to make the pressure P higher than the predetermined pressure P1 with a timer, and storing a value indicated by the timer in the memory. Amano does not teach or imply comparing the difference to at least one predetermined value, and activating at least one timer *based on the difference*, as stated in dependent claim 11, and dependent claims 3 and 18 as amended above.

Thus, claim 11 of the present invention is not taught or suggested by Gottemoller and/or Amano. Combining these references fails to teach or yield the invention as claimed. The combination of these references fails to teach or suggest all the elements of the claim. Further, one of skill in the art would not be motivated to make such a combination. Therefore, the present invention is not obvious in light of any combination of Gottemoller and/or Amano.

In addition, neither Gottemoller nor Amano teaches or suggests that *the potential fluid filter problem is at least one of an obstruction, a restriction, and clogging in the filter*, as set forth in new claim 19, and neither reference teaches or suggests that *the potential fluid filter problem causes an imminent loss in engine performance*, as set forth in new claim 20.

Furthermore, claims 2-6, 8-13, and 15-20 are dependent upon an independent claim that is shown to be allowable. For all these reasons, the dependent claims are themselves allowable.

4. No new subject matter is introduced by the amendments to the above claims or the addition of the new claims. Claims 5, 6, 8, and 9 are amended for grammatical consistency.

5. The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication may advance the prosecution of the present application. Notice of allowance of claims 1-20 is hereby respectfully requested.

Respectfully submitted,

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